

REMARKS

Applicants appreciate the acceptance of the Terminal Disclaimer filed on October 14, 2004.

Reconsideration of the objection to the Amendment filed January 31, 2005, under 35 U.S.C. §132, allegedly because it introduces new matter into the disclosure is respectfully requested.

The specific subject matter to which he objects is the term “said hole having an opening below said groove” (referring to line 17 of claim 18). Although the Examiner argues that “holes (7) are not located below grooves (1) as originally presented,” applicants respectfully disagree.

Firstly, applicants do not say that the holes (7) are not located below grooves (1) but, rather, that the holes have an opening below said groove. This is clearly supported by the original disclosure, for example, with reference to original Fig. 7, which shows the opening of hole (7) below groove (1). Accordingly, applicants respectfully submit that the term in question is adequately supported by the disclosure as originally filed and withdrawal of the objection is, therefore, respectfully requested.

The Examiner has objected to the drawings under 37 C.F.R. §1.83(a) and, furthermore, because reference sign “5” is not shown in Fig. 3. By the foregoing submission of amended drawings, applicants respectfully submit that all the previous objections of the Examiner are overcome. Applicants note that the original drawings clearly support each of the features claimed in claims 14 and 23, as specifically mentioned by the Examiner at the top of page 3 of the previous Office Action. However, by the foregoing Amendment, applicants have amended the specification to refer specifically to the drawings and/or provided additional reference signs to portions of the drawings to overcome the Examiner’s objections.

However, applicants do note that the use of terms such as “proximal,” “distal,” “tongue” and “groove” are well known terms to those skilled in the art and are clearly understood by those having

ordinary skill in the art by reference to the original disclosure, including the accompanying drawings. However, for the Examiner's clarification, the "proximal" and "distal" portions of the tongue have been indicated, as well as the "proximal" portion of the groove by reference signs placed in the specification and on the drawings.

For all the forgoing reasons, withdrawal of the previous objection to the drawings are respectfully requested. Acceptance of the two "replacement sheets" of drawings bearing Figs. 1-8 is, therefore, respectfully requested.

The Examiner's previous objection to the specification, allegedly as found not to provide antecedent basis for the claimed subject matter is deemed moot by the foregoing amendment. See, especially, the remarks with regard to the objection to the drawings noted above.

Reconsideration and withdrawal of the objection to claims 14, 15, and 17-23 are respectfully requested, as well as the previous rejection of claim 18 under 35 U.S.C. §112, 1st paragraph.

As noted above, each of the limitations of the preceding claims have antecedent basis in the original disclosure as originally filed. Furthermore, the word "panel" has been changed to "board" in claim 19 to be consistent with the remainder of the claims.

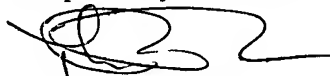
Furthermore, with regard to claim 18, applicants again refer the Examiner's attention to Fig. 7 as originally filed and note that applicants are not saying that the "hole (7)" is not located below groove (1) but, rather, that the "hole having an opening below said groove" is clearly supported by original drawing Fig. 7. Accordingly, the withdrawal of the rejection of claim 18 under 35 U.S.C. §112, 1st paragraph, is warranted.

Reconsideration of the previous rejection of claims 14, 15 and 17-23 under 35 U.S.C. §102(b) as being anticipated by Parasin (U.S. Patent 5,165,816) is respectfully requested in view of the following comments.

Parasin teaches a tongue and groove construction panel in which it is apparent that the patentee was not interested in the formation of a smooth upper surface, wherein the upper surface of panel 10 and panel 11 abutted but, rather, had spaces 46 (Fig. 2) clearly present therein. On the contrary, applicants' invention is directed to making a smooth upper surface for panel edges of adjacent panels which abut one another as clearly shown in Figs. 2, 4 and 6-8 of applicants' drawings. Accordingly, as Parasin contains no teaching for this feature of the claimed invention it cannot possibly anticipate any of claims 14, 15 and 17-23 under 35 U.S.C. §102(b). Withdrawal of the rejection is respectfully requested.

Having fully responded to the preceding Office Action, favorable reconsideration and withdrawal of all objections and rejections is respectfully requested. A prompt Notice of Allowance is earnestly solicited.

Respectfully submitted,



Thomas P. Pavelko
Registration No. 31,689

TPP/mat
Attorney Docket No.: TPP 30887DIV

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L Street, N.W., Suite 850
Washington, D.C. 20005-2477
Telephone: (202) 785-0100
Facsimile: (202) 785-0200

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AMENDMENT
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U.S. Appl. No. 10/754,564

IN THE DRAWINGS

Please substitute new drawing Figs. 1-8 for those previously filed.

Attachment

Replacement Figs. 1-8